

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 JONATHAN JOY,

10 Plaintiff,

11 v.

12 SAINT CLAIR,

13 Defendant.

CASE NO. C18-0143-JCC

ORDER

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15 This matter comes before the Court *sua sponte*. On February 9, 2018, Plaintiff was
16 granted leave to proceed *in forma pauperis*. (Dkt. No. 2.) On the same day, the Court reviewed
17 Plaintiff's complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) and determined that it failed to state
18 a claim upon which relief could be granted. (Dkt. No. 4.) The Court directed Plaintiff to file an
19 amended complaint within 21 days of the date of its order. (*Id.*) Plaintiff failed to amend his
20 complaint. The Court therefore DISMISSES the complaint without prejudice and without further
21 leave to amend.

22 Pursuant to 28 U.S.C. § 1915(e)(2)(B), the Court must dismiss an *in forma pauperis*
23 complaint at any time if the action fails to state a claim, raises frivolous or malicious claims, or
24 seeks monetary relief from a defendant who is immune from such relief. Federal Rule of Civil
25 Procedure 8 provides that in order to state a claim for relief, a pleading must contain "a short and
26 plain statement of the grounds for the court's jurisdiction" and "a short and plain statement of the

1 claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(1) & (2). At a minimum,
2 a complaint must put a defendant on notice of the wrong he or she committed against the
3 plaintiff. *See McHenry v. Renne*, 84 F.3d 1172, 1180 (9th Cir. 1996).

4 Plaintiff’s complaint fails to include a short and plain statement of his claim showing he
5 is entitled to relief. This is true even construing this *pro se* complaint liberally. *See Hebbe v.*
6 *Pliler*, 627 F.3d 338, 342 (9th Cir. 2010). Plaintiff brings suit against “Saint Clair,” a judge, in
7 his official capacity. (Dkt. No. 3 at 1–3.) He does not explain how Defendant acted under color
8 of state, local, or federal law, as required by such a suit. *See* 42 U.S.C. § 1983; (Dkt. No. 3 at 5–
9 6.) Plaintiff alleges that his rights to “privacy, anonymity, [and] judicial matters” were violated.
10 (*Id.* at 5.) He states that “a fight happened in [grade] school,” and that he “lied to a federal
11 agency.” (*Id.*) Plaintiff further indicates that the fight occurred when a classmate “made advances
12 towards [him]” in a school restroom and he hit the classmate, resulting in future bullying. (*Id.*)
13 Plaintiff does not allege how the named Defendant caused him to be harmed or how this
14 occurrence gave rise to his claim.

15 For the foregoing reasons, Plaintiff’s complaint is DISMISSED without prejudice and
16 without further leave to amend. The Clerk is DIRECTED to close this case. The Clerk is further
17 DIRECTED to mail a copy of this order to Plaintiff at the address listed on the docket.

18 DATED this 14th day of March 2018.

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22 John C. Coughenour
23 UNITED STATES DISTRICT JUDGE
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